

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

A-1 Mortgage, LLC and
James E. Yoest, Designated Broker,

Respondents.

NO. C-02-355-02-FO01
(Old No. 2002-147-O01)

FINAL ORDER

I. DIRECTOR'S CONSIDERATION

A. Review. This matter has come before the Director to review the Statement of Charges and Notice Of Intention To Revoke License And Impose Fines ("Statement of Charges") entered by the Director through her designee Assistant Director Mark Thomson on November 19, 2002, a copy of which documents are attached and incorporated into this order by this reference. The Department served the Statement of Charges by certified mail on November 29, 2002. Respondents did not request an administrative hearing.

B. Record of Proceedings. The entire record of this proceeding, including but not limited to the Director's designee's Statement of Charges and Notice Of Intention To Revoke License And Impose Fines, was presented to the Director for her review and for entry of a final decision.

C. Factual Findings and Grounds For Order. The Director hereby adopts the Statement of Charges and Notice Of Intention To Revoke License And Impose Fines, which is attached hereto.

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FINAL ORDER

1 II. FINAL ORDER

2 Based upon the foregoing, and the Director having considered the entire record and being otherwise
3 fully advised, NOW, THEREFORE:

4 A. Final Order. IT IS HEREBY ORDERED, That:

- 5 1. Respondent's mortgage broker license is revoked, and
6 2. Respondent pay an examination fee, calculated at \$46.26 per hour for three staff
7 hours devoted to the examination, totaling \$138.48, and
8 3. Respondent pay a fine of \$1,500.00, calculated at \$50.00 per day for thirty days, and
9 4. Payment of the examination fee and fine shall be suspended unless and until such time
10 as the Respondent applies for a license from the Department, at which time the total
11 fine and examination shall be due and owing.

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13 B. That Respondent provide to the Department information relating to the location of all
14 books, records and other information relating to Respondent's mortgage broker business, and
15 provide to the Department the name, address and telephone number of the individual responsible for
16 the maintenance of such records in compliance with the Act.

17 C. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
18 petition for reconsideration stating the specific grounds upon which relief is requested. The petition must be
19 filed in the Office of the Director of the Department of Financial Institutions, 210 11th Ave. West, Suite 300,
20 P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the Final Order upon
21 Respondent. The petition for reconsideration shall not stay the effectiveness of this order nor is a petition for
22 reconsideration a prerequisite for seeking judicial review in this matter.

1 A timely petition for reconsideration is deemed denied if, within twenty (20) days from the date the
2 petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice
3 specifying the date by which it will act on a petition.

4 D. Stay of Order. The Director has determined not to consider a petition to stay the
5 effectiveness of this order. Any such requests should be made in connection with a petition for judicial
6 review made under chapter 34.05 RCW and RCW 34.05.550.

7 E. Judicial Review. Respondent has the right to petition the superior court for judicial
8 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a
9 petition for judicial review, see RCW 34.050.510 and sections following.

10 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
11 Review, service is effective upon deposit of this order in the U.S. mail, affidavit of service attached hereto.

12 DATED this 22nd day of January, 2003.

13 STATE OF WASHINGTON
14 DEPARTMENT OF FINANCIAL INSTITUTIONS

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16 /S/
Helen Howell
17 Director